

To the Right HONOURABLE  
The LORDS Spiritual and Temporal;

And to the HONOURABLE the  
COMMONS of *England* in Parliament Assembled;

*A PROPOSAL to Mend Rye Harbour in Suffex.*

Is Humbly Offer'd by *Robert Colepepyr, Gent.*

*May it please your Honours.*

**T**H A T Harbour is by (Numb. 10.) on the Map herewith given, and was Faulty in 1635: And then Repair'd by an open Navigation on *Appledore-Channel*, and the *Rosber*; And the same Harbour may be Repair'd, again, If your Honours approve such Navigation, and will please to favour the same by Act of Parliament.

That Work was done to mend a general Land-drain, that's now in Decay as well as the Harbour, and both from ill Advice in Draining. And altho' much Marsh-land was then used as a *Bafon*, yet the same only Subjected Marsh Owners to great Charge, without Benefit; as herein after appears.

The upper Levels were most Damnified by that faulty Drain: So their Commissioners of Sewers undertook to mend the same, at their uncertain Charge; yet other Commissioners of Sewers (also Damnified) did agree to make certain Annual Payments towards that Work. Which Payments, or their Value by Purchase, and some Arrears due thereon; together with His Majesties Derelict Lands in that Channel: I humbly propose to your Honours as a Fund for this Work. And that the upper Levels most subject to Land-floods) do after Cleanse the same Channel with the *Rosber*: And also Pay Rent for that Part of the latter in *Wittersham Level*, and maintain the Banks there, and higher up, as in their said Agreement. And so they will be at far the greatest Charge on draining.

I apprehend the Gentlemen most concerned, were satisfied in the King's Title to such Navigation the last Sessions of Parliament. Yet notwithstanding that Title, I do not believe such Bill will find any Favour, while your Honours and those Gentlemen apprehend their Marshes will be Drown'd thereby. Therefore it seem'd fit I next state their Objections, and Answer the same.

*Object. 1.* The uppermost Stop in *Appledore Channel* at Num. 6. in Map, was made in 1623. That the Tides might flow no more above that place. Therefore it appears the Land-drain had then some defect in that part.

*Ans. I* do not find our Ancestors (in their Books of Sewers) have recorded the Damage their Drain receiv'd: And do not think fit to entertain your Honours with my apprehensions touching the same where Proofs are wanting. But will presume to say those

On the said View and Consideration, 'twas Concluded, That a Channel or Cutt thro' *Wittersham Level*, to give all Water free Influx and Eflux there, and in the *Rosber*, was the best means to gain depth in *Appledore Channel*; especially if the 1600 Acres were used as a *Bafon*: Which Method was also presented necessary by 48 Jurors.

The upper Levels, accordingly agreed for a Channel or Cutt, of 50 Foot Broad in the bottom; and 12 Rods between Bank and Bank, thro' 1200 Acres of High Marsh in *Wittersham Level*; and were bound for ever to defend those Banks and Marshes, from Damage by salt or fresh Water: And by that Agreement, the Owners of those 1200 Acres, were Annually to pay the upper Levels, so much toward the Sea Banks, as they paid before that Agreement.

The upper Levels, also hired the 1600 Acres of Low Marsh adjoining, and were obliged to hold it as a *Bafon* under salt Water, till (in Judgment of its Owners, the same could receive no more Benefit from Sea Sullage. Yet with Liberty to those Owners, to inclose any part on abatement of Rent.

To preserve the high Marshes, great endeavours were used soon after the Tides were let in; yet they washed down the fore Lands and Banks thereof, and Drowned much of those Marshes. And since that Inundation, 200000 *l.* or thereabouts, hath been paid for Rents of *Wittersham Level*, and works done there. Wherefore those Land Owners desire the Tides may no more have Influx thro' *Wittersham Level*, to mend Rye Harbour at their Risque and Charge; But do think that Experiment sufficiently tryed, and may now pass for impracticable in that Level.

*Ans. These Gentlemen I think ought to do no more Works in Wittersham Level, to mend either Harbour or Land; till they see the Rock that so racked their Ancestors, and find the same avoidable. For whose satisfaction therein, I inform; That all Rivers cut by Water or Hand Labour in Sea Sullage, do fret and wash away soil, till they come to moderate running; because that soil is penetrable, So most Channel Room will always attend the greatest quantity of Water there.*

The old Channel North of *Oxny*, (where well proportion'd) had more Breadth than was intended for the new Cutt. Yet the latter was to carry most Water, and that by all the



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*Ans.* I do not find our Ancestors (in their Books of Sewers) have recorded the Damage their Drain receiv'd: And do not think fit to entertain your Honours with my apprehensions touching the same where Proofs are wanting. But will presume to say those Lands were long Drain'd by that Channel before 1623. even from 1272. At which time the *Rother* left *Rumney* out-fall (Numb. 14.) and fell into the Sea at *Rye*. (Numb. 10.) If well inform'd by the History of *Heſtor Boetbias*. And that the same stop was the first made in that Channel, seems plain from Records of Sewers. For the then Commissioners apply'd to the Lord Warden at that time being; and obtain'd permission for that stop, till found hurtful to *Rye* Harbour; but the latter stops were made without such Application.

The upper Levels then were Drain'd 350 Years, either by common or extraordinary Charge, then attended that Navigable Channel. And whatsoever Evil our Ancestors hoped to avoid by their stop, yet the Drain that serv'd 350 Years, (while an open Channel) was quite destroy'd in 12 Years by that stop, as the following Objection shews.

*Object. 2.* That before 1635. 3000 Acres lay Drown'd, and 2000 more was much Damified with Fresh Water in the upper Levels. Also the Drains of *Rumney*, and *Walland* Marshes, were much Decay'd in *Appledore* Channel. And 1600 Acres of Low Marsh was Decaying, and like to be lost in *Wittersham* Level, call'd the *Bafon* there. Wherefore the Commissioners of the Sewers, and Land-owners so Damnified, met on Views; and found *Appledore* Channel. (their general Land-drain) had lost much Depth, by Sea Sullage that dropt and subsided there; by Salt Water standing dead against their stop, at (Numb. 6.)

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To preserve the high Marshes, great endeavours were used soon after the Tides were let in; yet they washed down the fore Lands and Banks thereof, and Drowned much of those Marshes. And since that Inundation, 200000 *l.* or thereabouts, hath been paid for Rents of *Wittersham* Level, and works done there. Wherefore those Land Owners desire the Tides may no more have Influx thro' *Wittersham* Level, to mend *Rye* Harbour at their Risque and Charge; But do think that Experiment sufficiently tryed, and may now pass for impracticable in that Level.

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The old Channel North of *Oxny*, (where well proportion'd) had more Breadth than was intended for the new Cutt. Yet the latter was to carry most Water; and that by all the *Bafon* could receive. Which *Bafon* being a deep wide vacuity laid open to an Arm of the Sea. The same might draw the Water thro' that 50 Foot Cut with great Rapidity, till Three quarter Flood: About which time the fore Lands of that high Marsh might begin to carry Water. Which Rapidity did continue, to widen that 50 Foot Cut, till it made the same a sufficient Water-fret, or Channel, to fill, and empty that *Bafon* in Tide and Ebb: And that by such moderate running, as attends Marsh-channels.

The Water however could not come to such moderation and leave fretting, till it did bring that 50 Foot Cut, to a Water-fret or Channel of 500 Yards broad. Yet but proportionable with the Water-fret in *Appledore* Channel, (as on View may appear) Nevertheless the like penetrable soyl remains, in which that Water-fret might have grown much wider, had more room been wanted, so to fill and empty that *Bafon*.

I have drawn the said *Bafon* to contain 1600 Acres, by the Scale in the Map herewith delivered. And thereby have also laid down the Water-fret of 500 Yards Broad, thro' *Appledore* Channel, and *Wittersham* high Marshes: For by shewing that *Bafon* as the Tides found it, and the Fret that filled the same as made by the Tides; I seem the more preceptable in answering this Objection. I also shew my proposed Channel in the 500 Yards, Water-fret; yet my Channel is much too narrow to be truly shewn in this Map, and the 50 Foot Cut made there formerly, not well to be shewn.



The Cut our Ancestors made to fill the *Bafon*, was in Breadth but the Thirtieth part of the Fret or passage the Water made to fill the same. So their ill advice is shewn by Earth and Water. And since their want of Breadth was so great, the Tides might raise the Water many Foot higher in *Appledore* Channel by Three quarter Flood; than the 50 Foot Cut, could raise the same in the *Bafon* by that time. This would give the Water a great Fall and Rapidity. So the same might wash down Banks and Marshes apace: And Works that so much opposed the Waters Tendancy, might well fail. And since so great a *Bafon* was made in 1635. with an ill proportion'd Cut to fill the same; and I propose no *Bafon*; therefore what I now offer was not tryed in 1635.

*Object. 3.* The fresh and salt Water had the propos'd open Channel thro' *Wittersham* Levell, and also round *Oxny* at the same time; yet then Sullage did subside in the Channel near *Reading*, (Numb. 4.) and there raised a stop of Sand some 60 Rods long; and to such height, that the same turned low freshes back to the Cut in *Maytham* Wall ( Numb. 3. ) And the old *Rother* other parts from (Numb. 3.) to *Appledore* Channel, were made very narrow by side Benches; And of late Years very much Sullage is settled in *Appledore* Channel, near down to *Rye*; which Sullage will come into *Wittersham* Cut and the *Rother*; and fill the same were they laid open as desir'd.

*Ans.* Touching the stop at *Reading*, (Numb. 4.) I apprehend the Tides flowed up *Wittersham* Cut and *Bafon*, into the *Rother*, at (Numb. 3.) did there divide, and both flow up and down that Channel; but because Water will rather run with a small Current than against it, therefore I apprehend the Tides flowed downwards; till they were met at *Reading*, by the other Water that came up by *Appledore*, (Numb. 5.) So at *Reading*, these two Waters swell'd up, one against the other; till the Tides left flowing; and in that time they dropped Sullage; which by subsidence made that stop. But conclude the Water went up by *Appledore*, could not flow round *Oxny*, while *Wittersham* Passage was open; because a stop with Water was made at *Reading* every Twelve Hours, (over the Sand stop there) and that to the height of high Water. Nor could the Water (with any good Strength) flow up the old Channel, from *Maytham* Wall, (Numb. 3.) towards *Bodyam*, (Numb. 1.) till a Current was turn'd that way by the height of the said stop, so made by Water: Therefore, unless these two Waters had flow'd up two several Channels, till the Tides had been spent, and had never met; the same Sand for settling, can be no president against a single Channel. Nor do those Channels, in any measure shew that my proposal was tryed in 1635.

As to the Sullage settled in side Benches from (Numb. 4.) up to (Numb. 3.) and down to (Numb. 6.) I say the Passage thro' *Wittersham* Level, divided the fresh Water, between that Passage and the old *Rother*. Yet the whole Water was not sufficient to scower the *Rother*, without help from hand Labour; to wit, the casting of side Benches out of the same.

The *Wittersham* Passage took all the fresh Water in Summer, (as *Reading* Sand stop shews) and far above half in Winter, for the Cut, or *Wittersham* Water-passage is one part in 3 shorter than the old Circular Channel of the *Rother*; and consequently has so much the more fall. For admit the descent between *Maytham* Wall, (Numb. 3.) and *Craven* Out-fall, (Numb. 9.) is 6 Foot. Then as 6 Miles of Channel thro' *Wittersham* Level, hath 12 Inches fall to each Mile; So the old Channel can have but 8 Inches to a Mile; the same Chan-

Since the Tides have a tendency to leave Sullage in *Appledore* Channel, we need not fear any quantity will thence remove; but were that Channel never so clean, yet every Tide would carry in Sullage, and soon destroy the Navigation and Drain, I prepose; If by casting of side Benches out of the upper half, and fresh Water there, the same would not be kept open, and become a Salt *Bafon*, to scower the lower part.

By such casting with a small fresh from two Mill-streams, drained by *Winchelsea* Channel (Numb. 11.) the lower half of that Channel is constantly kept clean and deep; and the side Benches there cast out, do cost Three Shillings the Rod, or thereabouts once in 7 Years. And no reason appears, but such casting in the propos'd Channel, may perform as well (if not better) for this last Channel drains 9 Mill-streams; yet no Mill stands on this Channel, propos'd to be made Navigable; but many Iron Works are on the Mill-streams, and would be much served by such Navigation.

*Object. 4.* That we have the Example of the *Dutch* for shutting the Tides out of our Navigable Channels by Sluces, who have long used them with good Success; and they are a People well esteem'd for Draining, and by none thought Enemies to their Navigation. And when part of a great Land-flood Drowns many Marshes, before it comes into the Imbank'd Channel, and there other part of that Land-flood meets high Spring Tides, and so swells higher then the Marshes: Then for want of Sluces to keep the Tides back, those Marshes must lie the longer under fresh Water.

*Ans.* First, touching the Example given us by the *Dutch*; I say, the Spring-water and Land-floods Drain'd by their Channels, bear very little Proportion with ours in quantity; Nor have they such Descents to strengthen their motion: Therefore the *Dutch* Freshes are not sufficient to sweep out the Land and Sea Sullage, would settle in the upper part, or half of their Channel, should the same be set open. And unless the upper half of a Channel be a Salt *Bafon*, to help weak Freshes, to scower out, Sullage would settle lower down: The Land-drain and Navigation of a whole Channel would soon be obstructed, by Sea and Land Sullage. And I presume no Channel in *Holland*, (running thro' Sluces) has near so much Fresh Water as *Winchelsea* Channel, (Numb. 11.) before mention'd.

In following this *Dutch* Example, we should lose depth of Water in our Harbors, and want the same as much as they; or come as near it, as our better natural helps will admit of. And so far make the King's Ships more unsafe, unless we Build them on *Dutch* Bottoms. Therefore, I hope we shall not suffer that Evil out of Chouse, which the *Dutch* submit to from necessity.

Touching our use of Sluces, to keep Spring Tides from meeting Land-floods, and so holding our Marshes the longer under Fresh Water. I say, the highest Spring Tides make the greatest reverse, and leaves the least Salt Water, in our Harbours and Channels; for several Miles next the Sea. For the Sea makes a large vacuity at low Water, sufficient to receive any Land-flood comes in reach of its Ebbs. But in parts of the same Channel, where the Salt Water doth not flow and Ebb; There following Rains may keep a Land-flood high; because this part of the Channel empties it self into the part next below it, where Breadth doth little increase.

These Observations also appear from Fact, for Land-floods obstruct Travellers several Days at some distance from the Sea: yet the Outfalls of those Waters, are drawn down every Ebb.



*Rother*; and all the same were they laid open as desired.

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The salt Water then that flowed up the old Channel, had from *Mayham* Wall, (Num. 3.) but a weak fresh follower at Ebb, even in Winter, and none in Summer there, nor at *Reading*, (Num. 4.) and this is the Water found insufficient to cleanse one Channel; yet was there put to cleanse two: So the Tides might well leave Sullage in the old Channel, and raise tide Benches there; above, and below *Reading*, (Num. 4.)

Now to the Damage fear'd from Sullage, in *Appledore* Channel, (*viz.*) its coming into the proposed Channel, and subiding there. For satisfaction therein, I intend the Mouth or widest part of the proposed Channel, shall not exceed 20 Rods, (if it be so Broad.) So 'twill draw no more Water in, from *Appledore* Channel, than is necessary to preserve or gain a sutable Water-fret there. Which fret in *Appledore* Channel, (if now too wide) will lose Breadth, till it hath not too much to fill my new Channel: as *Winterham* Cut grew wider till it could fill the *Bafon*; for Tides will leave Sullage in over Breadths of a Water-fret; as well as make Breadth where 'tis wanting.

While the *Rother*, *Bafon*, and high Marsh Water-fret were open, yet much Sullage subided on *Winterham* side of *Appledore* Channel; because the same Channel had more Breadth then was necessary to fill those open Receptacles, however, since the stops were made cross the said Level and Channel, much more Sullage hath settled where the same is complain'd of then was there before.

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These Observations also appear from Fact, for Land-floods obstruct Travellers several Days at some distance from the Sea: yet the Outfalls of those Waters, are drawn down every Ebb. To prove this, the Land-floods on *Newinden* Highway (Num. 2.) and Ebbs at *Rye*, (Num. 10.) will afford an instance to the upper Level-owners; For the said Highway is hardly passable for many Days, yet from their Sluces to *Rye*, the greatest Land-flood runs very shallow at Low-water.

So much of *Rye* Harbour, and *Appledore* Channel, as are not yet Imbank'd and Drain'd, then seem remains of a *Bafon*, that Empties it self into the Sea every Ebb; and is refilled in 6 Hours. (*viz.*) by Salt Water the Tides bring in, and Fresh that gets thro' the Sluces, before they are shut by the Tides. Therefore to that time the Salt Water comes into the *Bafon*, doth exceed the Fresh in quantity, as the Harbours Mouth exceeds the Sluces in Water Passage: And from the shutting of the Sluces, that *Bafon* must fill wholly with Salt Water; and Water then spreads to the greatest Breadth. So the *Bafon* of Water goes to Sea every Ebb, carries very little Fresh Water out with the same.

The open Channel proposed, would carry out Sixteen times as much Water as the Sluces, or thereabouts, when the Sluces carry most; and would contribute so much more fresh Water to the *Bafon* while the same is filling; and especially when the Marshes are most Drowned; For the greatest Land-floods press hardest on the Tides, and stop them nearest to the Sea in an open Channel: So far are open Channels from keeping Land-floods longer in, or Sluces from Draining them sooner but; and if extreame Tides and Land-floods meet higher up in an open Channel than the Sluces lie, and make the Water swell the higher there:



there; yet the Banks prevent Damage, as in other such Channels, and the same Water presently abates; and much the faster in an open Channel, as before shewn.

*Object.* 5. That *Appledore Channel* (the general Land-Drain) was always in the upper Level's Commission of Sewers; near down to *Rye*. And no more than a Power to sew into the same, contained in any Commission of Sewers between the upper Levels and the Sea: Nor did those lower Commissions contribute towards the Cleansing of that Channel before 1635.

After 1635. the Lords of *Rumny* and Commissioners of *Walland* Marshes did enter into an Agreement with the Commissioners of the upper Levels, containing several Conditions on the part of the latter, to be performed, (*viz.*) That those Commissioners should turn their fresh Water over to *Rumny* side of *Appledore Channel*, to make and preserve Depth near the Sluces there; and never after alter the Course of the said Water.

In Consideration of which Water, and for the upper Level's great Charge on their Salt *Bason*, and other Works; and the Benefit thereby received by the Lords and Commissioners of *Rumny* and *Walland* Marshes (*viz.* by the better Draining such of their Marshes as issue Water into that Channel;) They the said Lords and Commissioners did agree to Pay the upper Levels 160 *l. per Annum*; Which Payment to continue so long as those Lands should be well Drained by the upper Level's Works; and no longer. Yet with *Proviso*, That the said Agreement shall not be drawn into future Precedent.

Notwithstanding the *Proviso*, and that *Rumny* Marsh, and other Marshes below them, Paid nothing towards *Appledore Channel* before 1635. And also the upper Level's Stops; whereby they have turned their fresh Water cross that Channel to *Rumny* side, below the Sluces were in 1635. and thereby forced *Rumny* and *Walland* Marshes to lay new Sluces nearer the Sea. Which Charge must be repeated as more Stops shall become necessary. And notwithstanding the upper Levels have also Drained their *Bason*; yet 'tis now desired that the 160 *l. per Annum*, may be perpetuated by Act of Parliament; and made saleable, to raise Money for the open Channel proposed. Tho' if such Act pass, and the Work fail; Then those Lands will be double Charged for Draining.

*Ans.* I presume all Marsh Owners have a Right to Drain into an adjoining Navigable Channel without Charge, Provided the Natural Helps of such Channel will preserve depth so to Drain: But *Rumny* and *Walland* Marshes could not so Drain, as their Agreement beforementioned shews; and the supernatural Helps then thought necessary, were done by the upper Levels (as agreed on) and remained, till the Stops complained of, were found necessary to Drain the upper Levels, in their Method; but those Stops yet cause no Prejudice to *Rumny* and *Walland* Marshes, or any other, save the Charge they have Paid, or may be put to, on new Sluces lower down.

Touching the said Stops, I say yet further, That in 1646, the *Bason* was found much too large for the Cut made to fill the same: Therefore a Bank (No. 7.) called *Blackwall*, was made cross that *Bason*; with Sluces therein to obstruct salt Water, and give passage to the fresh. And the same Wall left about 900 Acres open to salt Water, and the other 700 Acres under fresh Water, as the latter remains.

It appears there was then no intention to Drain Land by this Stop; yet on the side thereof nearest to the Sea, much Sullage subided, and did dammifie many Lands in the upper Levels: Therefore (as a growing Evil) that Sullage was considered in

Lands so agreed for, have been Drained ever since 1646, and without the same would soon be Drowned: For otherwise they need not go lower with Sluces, for benefit from the upper Level's Fresh: when no cross Stop is made between them and the Sea; yet so they have Done. Therefore the Contributors seem liable to continue their Payments, whether Drained by an open Channel or Sluce-stops.

Touching the open Channel's sufficiency to Drain *Rumny* Marsh, and other Marshes lower down. I say, that further up than their Sluces, the open Channel will be drawn Low every Ebb: Therefore all Lands so near the Sea must be well drained thereby, except low Bogs. And a narrow Water Fret in *Appledore Channel* against those Sluces, is now scower'd only by the upper Level's Fresh, and by Salt-water Leaks through their Sluces in Tide time, and returns at Ebb.

The said small Influx and Efflux perform so well, that I hear of no Lands there ill Drained; and the open Channel will extremely increase that Influx and Efflux. So here is fact at home, to shew those Lands must be Drained well by such open Channel. And all Marsh Lands in the Map were made by salt Water: And Sluce-stops were also used in *Winchelsea Channel* (No. 11.) till the same were removed for obstructing their Drain; and now that Channel maintains a good depth much farther from the Sea than *Rumny* and *Walland* Marsh Sluces: And many more Precedents might be cited, did the same seem necessary.

Touching the Side Banks to be made for the open Channel, and the sufficiency of the same to stand there; I say, the Workmen in those Parts, have of late years made many Sea-banks, in *Winterbain Level*; and Stops cross the deep Water-fret there, and in *Appledore Channel*. Which Stops and Banks were much more exposed to Storms than my Channel Banks will be. So no failure in the said Channel Banks may be presumed irreparable. And now I hope all Objections are answered.

By an open Channel, I apprehend much Money may be saved (otherwise soon to be spent and lost) *viz.* by the upper Levels, on a new Stop or Out-fall. And by *Rumny* and *Walland* Marshes, on a new Channel and Sluces, to issue their Water out below such new Out-fall of the upper Levels. For the open Channel proposed will scower all necessary Sluces where they now lie.

I do not endeavour to break Agreements by which any Lands were Charged for Draining; but desire the present Owners may perform the same, to which they seem liable as before; And that some Marshes that but lately used *Appledore Channel* (the common Land-drain) may pay to the Charge of the same; as other Contributors agreed to pay for Draining there. And this Money, with the Derelict Lands proposed, as other part of a Fund for this Work; being laid out on an open Channel; the same will mend the Drain, and Harbour both; and seems the only way to make either of them lasting.

Touching the Bar, or Bar in *Rye Bay*. The Water there at Calms, and near low Ebb has no motion but a small swell against the Shores, and back again. So when a Channel falls into such Bay, the Water of the Channel must lose its motion and strength, and drop Sand; which Sand subides till that Water is disturbed by Winds; for such Efflux as cannot keep Sand in motion, can never dislodge it. Therefore a great Efflux seems no further useful on a Bar, than by laying the Sand makes the same, in reach of Storms. For tho' all Water now within the Bar covers but 500 Acres, or thereabouts; yet this Bar is now as Navigable, as when 3000 Acres more of Marsh lay under salt Water, that's now drained. That 500 Acres seem more by the Map, but the same was not nicely plotted, nor are the South Channels so to be shewn on this Map, they are so small.



Lands should be well Drained by the upper Level's Works; and no longer. Yet with *Proviso*, That the said Agreement shall not be drawn into future Precedent.

Notwithstanding the *Proviso*, and that *Rummy* Marsh, and other Marshes below them, Paid nothing towards *Appledore* Channel before 1635. And also the upper Level's Stops; whereby they have turned their fresh Water cross that Channel to *Rummy* side, below the Sluces were in 1635. and thereby forced *Rummy* and *Walland* Marshes to lay new Sluces nearer the Sea. Which Charge must be repeated as more Stops shall become necessary. And notwithstanding the upper Levels have also Drained their *Bason*; yet 'tis now desired that the 160*l.* per Annum, may be perpetuated by Act of Parliament; and made saleable, to raise Money for the open Channel proposed. Tho' if such Act pass, and the Work fail: Then those Lands will be double Charged for Draining.

*Ans.* I presume all Marsh Owners have a Right to Drain into an adjoining Navigable Channel without Charge, Provided the Natural Helps of such Channel will preserve depth so to Drain: But *Rummy* and *Walland* Marshes could not so Drain, as their Agreement beforementioned shews; and the supernatural Helps then thought necessary, were done by the upper Levels (as agreed on) and remained, till the Stops complained of, were found necessary to Drain the upper Levels, in their Method; but those Stops yet cause no Prejudice to *Rummy* and *Walland* Marshes, or any other, save the Charge they have Paid, or may be put to, on new Sluces lower down.

Touching the said Stops, I say yet further, That in 1646, the *Bason* was found much too large for the Cut made to fill the same: Therefore a Bank (No. 7.) called *Blackwall*, was made cross that *Basin*; with Sluces therein to obstruct salt Water, and give passage to the fresh. And the same Wall left about 900 Acres open to salt Water, and the other 700 Acres under fresh Water, as the latter remains.

It appears there was then no intention to Drain Land by this Stop; yet on the side thereof nearest to the Sea, much Sullage subided, and did dammifie many Lands in the upper Levels: Therefore (as a growing Evil) that Sullage was considered in their Sessions of Sewers. And 'twas the Commissioners opinion, That the same Sullage might be raised much higher, by the salt Water, and Drown all their Marshes with fresh Water.

To avoid such Drowning, a second Stop was made below that Sullage. Which second Stop did Drain the Sullage raised by the first, and raised more Sullage on its side next the Sea, after Drained by the third Stop. And thus they went lower with Stops, till they Drained all *Wintersham* Level, and part of *Appledore* Channel; as (No. 9.) shews.

As these Stops come nearer to the Sea, *Appledore* Channel (the general Land-drain) sooner decays, because there the Tides stand longer dead to drop Sullage; yet the upper Levels are first dammified, and now want a new stop or Out-fall nearer to *Rye*; Tho' their last Stop was made but five Years since, or thereabouts. So in this Method they must soon destroy *Rye* Harbour, and probably much dammifie many Marshes Drained through the same.

The Drowning of the upper Levels thus kept off by Stops, was no other way avoidable, save by an open Channel. So here appears a necessity to Drain that *Bason*; either by Stops, or Channel-banks. And the upper Levels had no Power to keep the same *Bason* always open, as appears by their Prior Agreement with *Wintersham* Level, herein before mentioned; For those Land Owners had Power to make such Side Banks as are now Proposed: Nor is the Continuation of that *Bason* made a Condition of Payment, but that Condition is good Draining at the upper Level's Charge: And by their Works, and Water, the

cedents might be cited, did the same seem necessary.

Touching the Side Banks to be made for the open Channel, and the sufficiency of the same to stand there; I say, the Workmen in those Parts, have of late years made many Sea-banks, in *Wintersham* Level; and Stops cross the deep Water-fret there, and in *Appledore* Channel. Which Stops and Banks were much more exposed to Storms than my Channel Banks will be. So no failure in the said Channel Banks may be presumed irreparable. And now I hope all Objections are answered.

By an open Channel, I apprehend much Money may be saved (otherwise soon to be spent and lost) viz. by the upper Levels, on a new Stop or Out-fall. And by *Rummy* and *Walland* Marshes, on a new Channel and Sluces, to issue their Water out below such new Out-fall of the upper Levels. For the open Channel proposed will scower all necessary Sluces where they now lie.

I do not endeavour to break Agreements by which any Lands were Charged for Draining; but desire the present Owners may perform the same, to which they seem liable as before; And that some Marshes that but lately used *Appledore* Channel (the common Land-drain) may pay to the Charge of the same; as other Contributors agreed to pay for Draining there. And this Money, with the Derelict Lands proposed, as other part of a Fund for this Work; being laid out on an open Channel; the same will mend the Drain, and Harbour both; and seems the only way to make either of them lasting.

Touching the Bar, or Bar in *Rye* Bay. The Water there in Calms, and near low Ebb has no motion but a small swell against the Shores, and back again. So when a Channel falls into such Bay, the Water of the Channel must lose its motion and strength, and drop Sand; which Sand subides till that Water is disturbed by Winds; for such Efflux as cannot keep Sand in motion, can never dislodge it. Therefore a great Efflux seems no further useful on a Bar, than by laying the Sand makes the same, in reach of Storms. For tho' all Water now within the Bar covers but 500 Acres, or thereabouts; yet this Bar is now as Navigable, as when 3000 Acres more of Marsh lay under salt Water, that's now drained. That 500 Acres seem more by the Map, but the same was not nicely plotted, nor are the South Channels so to be shewn on this Map, they are so small.

The above Bar is deeply Imbayed to the North, and West, by Beach-banks; were raised by great Storms: For the same are much higher than any quiet Tide comes. So Storms from East and South, drive Sand from the Sea, and Bar, up against those Beach-banks; and bring it back by reverse; but that reverse cannot carry the same out of the Bay.

The Bar is defended from North and West Storms, by those Banks, till the Storms that blow over these Banks, can disturb the Bar Sand, and drive the same out to Sea; but when any Sand so goes to Sea, the Bar must exceed its common, and guarded height. For these Reasons I expect to do nothing on this Bar by an open Channel.

The open Channel with an Out-fall less Imbayed, may yet keep a Bar as Navigable there, as any Bar in a Sea of such depth, and so exposed to Storms: If hereafter such Work shall find encouragement, and publick Charge: Such new Out fall I would make against *Pett* Level, lying between *Winchelsea* (No. 11.) and *Hasting* (No. 12.) because an Out-fall Bar there will be well disturbed by Storms that blow in and out; and also receive much more benefit from Side Storms than *Rye* Bar hath. I apprehend the Bar without this new Out-fall will lie above 6 Foot deep at Low water; but admit it should be kept no deeper than 6 Foot, yet Second Rate Ships may come in at half Flood, and ride in the Channel, or in a *Bason* may be made, with Gates into the Channel, to receive Ships in, and keep Sullage out, and such Ships may ride in the Bay from low Water till half Flood, without Damage; especially when the Winds are North or West, from



which Points they blow some three parts of the Year. The principal part of which Charge, will then be required for 1280 Rods of Channel Banks, or thereabouts. For (with some help) the Tides and Ebbs will make a better Channel there, than can be made by hand Labour. But no more of this, till we see what Depth the open Channel will make in *Rye Harbour*, between the Beach-banks there.

The Beach-banks of the Bay do Suffer Storms to keep the Bar or Flat Navigable there, from Half-flood to Half-ebb; for from Half-flood, small Men of War, Tenders and Store-ships may come in; and better Ships may enter near High-water; and a few Ships may now Ride in the Harbour at Low-water. And 'tis probable, an open Channel will make room and water for many more; For before the said Imbankments, the Harbour's depth of Water, and Expansion of the same, was much greater than the same now are.

I hope more is not necessary to satisfy your Honours, and the Land Owners concerned: Therefore now pray Leave to give Particulars, touching the Charge of this Work. And the Fund to Answer the same.

Charge.] By two Channel Banks, to run from <i>Craven Sluce</i> (Numb. 9.) up to <i>Black-wall</i> , (Numb. 7.) and from thence a single Bank to run near <i>Suffex</i> Uplands, to the West-end of <i>Maytham Wall</i> , (Numb. 3.) at which place this new Channel will fall into the River <i>Rother</i> . Which Banks I compute at 4040 Rods, and hope the same one part with the other may be made for 33 s. the Rod, and afford Implants for the Work; which comes to—	l.	6665
By Repair of old Channel Banks on the <i>Rother</i> , above <i>Maytham Wall</i> (Numb. 3.)	1500	
By a Sluce in the <i>Rother</i> , just below the new Channels Passage into the same. To keep the Tides up towards <i>Bodiam</i> (Numb. 1.) and Four smaller Sluces above the said Sluce: To keep the Tides out of small Drains	1200	
By Repair of the two most Easterly Breaches in <i>Maytham Wall</i> (Numb. 3.) and for two small Guts or Trunks, To Drain that fresh Water <i>Bafon</i> (lying between the said Wall and <i>Black-wall</i> (Numb. 7.) into the new Channel	100	
Total		9466

Fund.] To Fifteen years Arrears of 160 l. per Annum, seems Due from the Lords of *Rumny Marsh*, and Commissioners of *Walland Marsh*; For about so long since they denied Payment. Because put to the Charge of removing their Sluces; and for other Causes of Complaint in the Fifth Objection. So if your Honours shall think those Arrears due, and appropriable to this Work, Then the same (if right in time) come to—

Yet Money so spent on removing of Sluces, seems deductable from the said Summ—

To Money may be raised by that 160 l. per Annum, at 20 Years Purchase, If your Honours shall be satisfied the open Channel will be a good and lasting Drain to those Lands; and will please to perpetuate that Annual Payment—

The 1200 Acres of high Marsh in *Wittersham Level*, were to Pay as much annually for Repair of Banks, &c. as they Paid before 1635. (as in their said Agreement)

Brought over—5600

The Owners of these high Marshes, therefore seem indebted to the upper Levels, or towards the open Channel, in 65 such annual Payments, as their Charges of Draining came to before their Agreement. But least that Charge be not ascertainable, I compute the same at 4 d. per Annum the Acre, as the Marshes on the South of *Rye* do Pay. And so it comes to—

To the whole Level of *Wittersham*, and a Marsh adjoining called *Playden Level*, both containing 3000 Acres; which at 4 d. the Acre, will Pay 50 l. per Ann. And that Summ being perpetuated, will at 20 Years Purchase, raise—

To the Owners of *Guildford Level*, for the Draining of some 3000 Acres of Marsh for 15 Years last past, or thereabouts; which at 4 d. the Acre comes to 50 l. per Annum: And so for 15 Year is—

To the same annual Payment at 20 Years Purchase if perpetuated—

These Lands did Drain out into *Waine-way Creek*, (Numb. 16.) till the Stops there made Land of that Creek, and shut up that Drain. And therefore the Owners of this Level made no Agreement for Draining when the said Agreements for Draining were made.

To 300 Acres of Derelict Land, or thereabouts; gained out of *Appledore Channel*, by the two lowest Stops made cross the same. These Stops turn all the Channel above them into marsh Land; except a small Drain for fresh-water. This new-gain'd Marsh has sometimes been drowned with salt Water to scower Sluces. The Lord-warden also may lay it open to the Sea again, for benefit of Navigation; and no Claim is made thereto, by those at whose Charge the same was gained. Therefore these Lands seem to be in the Crown: and not the Property of any Subject.

An Appropriation of these Lands to mend *Appledore Channel* (the general Land-Drain); will divide the benefit thereof, to the several Land Owners Drained the same, and that in proportion to their Payments for such Draining; And *Rye Harbour* will have some Reparation, by those Stops, from whence it received much Damage. This Marsh so used to scower Sluces, is not fully improved; but that Improvement will be received, if the said Channel shall be open'd. For there will after be no need of a *Bafon* on any Land to scower Sluces. So the Condition of this Land considered; I value the same but at 12 s. per Annum the Acre, and fifteen Years Purchase, and so it will raise—

Fund 12350  
Charge 9466

Yet this Overplus of 2884 seems subject to Abatement for Removal of *Rumny* and *Walland Marsh* Sluces as before.

That part of the *Bafon* above *Black-wall*, was hired at 400 l. per Annum, or thereabouts in 1635. and is now Lett for 60 l. per Annum; notwithstanding all Endeavours for better Draining, consistent with Sluce-Stops. But I hope the open Channel may Drain that low Marsh as well as formerly: However, if I mistake herein; yet as I propose to Imbank it, the same may easily be Drained by a Mill: For less Rain than falls on twice that



this new Channel will fall into the River *Rother*. Which Banks I compute at 4040 Rods, and hope the same one part with the other may be made for 33 s. the Rod, and afford Impliments for the Work; which comes to—

By Repair of old Channel Banks on the *Rother*, above *Maytham* Wall (Numb. 3.)

By a Sluce in the *Rother*, just below the new Channels Passage into the same. To keep the Tides up towards *Bodyam* (Numb. 1.) and Four smaller Sluces above the said Sluce: To keep the Tides out of small Drains

By Repair of the two most Easterly Breaches in *Maytham* Wall (Numb. 3.) and for two small Guts or Trunks, To Drain that fresh Water *Bafon* (lying between the said Wall and *Black-wall* (Numb. 7.) into the new Channel

Total 9466

Fund.] To Fifteen years Arrears of 160 l. per Annum, seems Due from the Lords of *Rumny* Marsh, and Commissioners of *Walland* Marsh; For about so long since they denied Payment. Because put to the Charge of removing their Sluces: and for other Causes of Complaint in the Fifth Objection. So if your Honours shall think those Arrears due, and appropriable to this Work, Then the same (if right in time) come to—

Yet Money so spent on removing of Sluces, seems deductable from the said Summ—

To Money may be raised by that 160 l. per Annum, at 20 Years Purchase, If your Honours shall be satisfied the open Channel will be a good and lasting Drain to those Lands; and will please to perpetuate that Annual Payment

The 1200 Acres of high Marsh in *Wittersham* Level, were to Pay as much annually for Repair of Banks, &c. as they Paid before 1635. (as in their said Agreement) but most of those Lands were drowned soon after that time; And so the full Rents thereof were Paid, pursuant of the upper Level's Covenant to Indemnifie. And those Rents Paid free from wet and dry Fence, with other Charges incident to Marshes and all Lands) were much more to the Owners benefit, than if their Marshes had been defended at their agreed Charge.

Because those Marshes were not Drained and their Banks repaired; Therefore the Gentlemen most interested in *Wittersham* Level, (being Commissioners of Sewers for the same, and also for the upper Levels) did omit to Pay for Securing their *Wittersham* Rents; yet the annual Values of those Lands have been secured at the upper Level's Charge, either by Payment of Rents, or Expence on Banks; and that for 65 years.

out of *Appledore* Channel, by the two lowest Stops made cross the same. These Stops turn all the Channel above them into marsh Land; except a small Drain for fresh-water. This new-gain'd Marsh has sometimes been drowned with salt Water to scower Sluces. The Lord-warden also may lay it open to the Sea again, for benefit of Navigation; and no Claim is made thereto, by those at whose Charge the same was gained. Therefore these Lands seem to be in the Crown: and not the Property of any Subject.

An Appropriation of these Lands to mend *Appledore* Channel (the general Land-Drain); will divide the benefit thereof, to the several Land Owners Drained the same, and that in proportion to their Payments for such Draining; And *Rye* Harbour will have some Reparation, by those Stops, from whence it received much Damage. This Marsh so used to scower Sluces, is not fully improved; but that Improvement will be received, if the said Channel shall be open'd. For there will after be no need of a *Bafon* on any Land to scower Sluces. So the Condition of this Land considered; I value the same but at 12 s. per Annum the Acre, and fifteen Years Purchase, and so it will raise—

Fund 12350  
Charge 9466

Yet this Overplus of 2884 seems subject to Abatement for Removal of *Rumny* and *Walland* Marsh Sluces as before.

That part of the *Bafon* above *Black-wall*, was hired at 400 l. per Annum, or thereabouts in 1635. and is now Lett for 60 l. per Annum; notwithstanding all Endeavours for better Draining, consistent with Sluce-Stops. But I hope the open Channel may Drain that low Marsh as well as formerly: However, if I mistake herein; yet as I propose to Imbank it, the same may easily be Drained by a Mill: For less Rain than falls on twice that Expansion, will be all the Water we can have there.

Six year after that Land shall be Drained, the same may be delivered back to its Owners (as agreed); So the Commissioners of the upper Levels, will save 340 l. per Annum, by an open Channel; even in this *Bafon*. Therefore should my Fund of 12350 l. before mentioned prove Insufficient, either by your Honour's Disallowance of any part thereof, or otherwise: Then I humbly submit it to your Honour's great Judgment, how far the upper Levels may be Charged to make the same good, in Consideration of the said 340 l. per Annum.

The same Commissioners also, have several other Marshes in their hands; because not well enough Drained to pay the Draining Taxes, now about 9 s. per Annum the Acre; yet those Lands, were formerly worth 20 s. per Annum the Acre, or thereabouts. So far a better Drain is now wanted.

F I N I S.